

REMARKS

Claim 1 is currently pending. In the June 3, 2005 Final Office Action, the Examiner rejected claim 1 as obvious under 35 U.S.C. § 103(a) in view of Lin (U.S. Patent No. 6,292,582) in view of Takagi (U.S. Patent No. 6,438,438).

Applicants respectfully traverse. Neither Lin nor Takagi teach or suggest “an editing means...” nor “manual selection means” as recited in claim 1. The Examiner admitted that Lin does not “expressly state displaying the plurality of defective areas as classified.” June 3, 2005 Office Action, pg. 4. Claim 1 also recites “an editing means for editing the defect detection parameters *on the basis of the defective areas displayed by said defective area display.*” (emphasis added). If Lin does not teach “displaying the plurality of defective areas as classified,” then Lin does not teach “an editing means” as recited in claim 1 because the editing means cannot provided for editing defect detection parameters “on the basis of the defective areas displayed by said defective area display.”

In addition, the editing means of claim 1 also include “defect detection parameter manual selection means so that values may be selected individually by the user on the basis of the defect detection parameter *shown on the defective area display means.*” The Examiner cites to various portions of Lin as disclosure for “defect detection parameter manual selection means so that values may be selected individually by the user on the basis of the defect detection parameter *shown on the defective area display means*” (*i.e.* Col.7, lines 1-6; col. 8, lines 55-59; col. 29, lines 4-15; col. 30, lines 39-62; col. 31, lines 15-19 and 38-46). These portions refer to the possibility of editing the parameters, but do not teach “defect detection parameter manual selection means so that values may be selected...*on the basis of the defect detection parameter shown on the defective area display means.*” Applicants respectfully submit that Lin cannot teach the “defect detection parameter manual section means” as recited in claim 1 because even the Examiner admits that Lin does not teach “displaying the plurality of defective areas as classified.”


The Examiner asserts that Takagi teaches displaying the plurality of defective areas as classified. However, the Examiner does not show where in either Lin or

Takagi it is suggested that one of ordinary skill in the art would have been motivated to make the asserted combination. The Examiner asserts that it would have been obvious to have modified the display means disclosed by Lin to include displaying areas as taught by Takagi. But, the Examiner fails to show where in either Lin or Takagi this motivation is either taught or suggested. Applicants respectfully submit that the Examiner has engaged in impermissible hindsight analysis. One of ordinary skill in the art would not have been motivated to make the asserted combination.

Applicants also respectfully submit that neither Lin nor Takagi teach or suggest, alone or in combination, a "manual section means for selecting classified defect image data..." Applicants have amended claim 1 to clarify the "manual" selection means. No new matter has been added as a "manual selection means" is described at least in Figure 2 and on page 11 of the specification.

Applicants respectfully submit that claim 1 is in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,


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